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EAST SAN JOAQUIN WATER QUALITY COALITION - ANNUAL MANAGEMENT PLAN UPDATE REPORT REVIEW

The California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) received the East San Joaquin Water Quality Coalition (Coalition) Annual Management Plan Update Report (Annual MPUR) on 1 April 2009 for compliance with Monitoring and Reporting Program (MRP) Order No. R5-2008-0005. The Central Valley Water Board staff (Staff) has reviewed the Annual MPUR and very much appreciates the Coalition's efforts and progress towards Management Plan implementation since its approval (25 November 2008). Some of the elements that illustrate the Coalition's efforts and progress, which were summarized in the Annual MPUR, are described as follows:

- inclusion of the BMP handbook, which provides the guidance criteria that the Coalition is using for recommending the appropriate BMPs to growers;
- inclusion of the Individual Contact Package (survey) completed by growers during individual interviews in the high priority areas;
- summary and categorization of the Coalition's outreach activities to address exceedances;
- summary of Coalition/grower- PCA meeting to discuss Coalition results, sprayer calibrations, organophosphates and pyrethroids applications in orchards and row crops; and
- analysis of sourcing techniques (using GIS) for the individual Site Subwatershed Management Plans.

The summary and categorization of the Coalition's outreach activities include: (1) grower notification, (2) management practice outreach and education, (3) management practice tracking and implementation, (5) general survey status, and (5) collaboration on special studies. This information helped staff to gain a better understanding of the Coalition's process regarding outreach efforts and Management Plan exceedances.

Staff identified some omissions in the Annual MPUR and determined it to be incomplete. These omissions were categorized as: (I) failure to achieve Performance Goal No.1 by March 2009 and (II) missing or incomplete information. Detailed descriptions of items I and II are provided below.

I. Failure to achieve Performance Goal No.1 by March 2009

- (1) Failure to contact 100% of individual targeted growers for the Dry Creek at Wellsford site sub-watershed (Management Plan, Table C, Performance Goal 1, page IX and Table 16, page 69) by **February 2009**;
- (2) Failure to contact each targeted grower for Duck Slough at Hwy 99 by **March 2009** (Management Plan, Table 16. Management Plan Tracking Schedule, page 69);
- (3) Failure to report on the above deliverables by the deadline specified in the Management Plan schedule.

II. Missing or incomplete information

Information regarding achievement of the performance goals and Total Maximum Daily Load (TMDL) requirements, as described below in items (1) through (3), was incomplete or missing.

- (1) Information was provided regarding the achievement of Performance Goal No.1 for the Dry Creek at Wellsford high priority area. However, no information was provided on Performance Goal No.2 for the same area (Management Plan, Table C, Performance Goal No.2, page IX).
- (2) No information was provided with regard to the Coalition's progress on Performance Goals No.1 and No.2 for Duck Slough at Hwy 99 and Prairie Flower Drain at Crows Landing.
- (3) Information was provided on the status of exceedances and monitoring for chlorpyrifos and diazinon (Management Plan, Table 5. Summary tally based on 2008 sampling events and Source Identification-Priority A Constituents). However, the Coalition failed to provide an analysis of how the information provided in the Annual MPUR relates to the seven Sacramento-San Joaquin Basin Plan TMDL reporting components as outlined in the Management Plan (Pages I through VI).

To improve the reporting section of the Annual MPUR, staff recommends a change in the reporting format for the Annual MPUR to include the Coalition's goals and objectives outlined in the Management Plan. For example, the Coalition did provide information regarding the Individual Contacts for the Dry Creek at Wellsford high priority area. However, this information is not associated with Performance Goal No.1 (See Section I. (1)). Therefore, a clearer parallel needs to be drawn between the outlined Goals (Table C) and the update (status) on how the Coalition is achieving those goals (e.g. include a section for "Performance Goal status" for each of the high priority areas). Additionally, the Coalition should review the "Guidance for Management Plan update report items" document, provided by staff on 21 September 2009, which will help improve consistency and completeness and streamline preparation of the next Annual MPUR due on 1 April 2010.

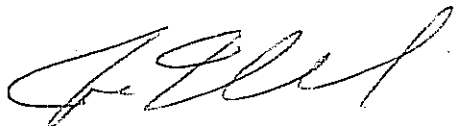
We recognize that during the development of the Management Plan, the Coalition was given the impression by staff that the deadlines were flexible. We are open to discussing changes to schedules and deadlines **prior to** the applicable deadline. However, the deadlines and schedules in the approved Management Plan are commitments by the

Coalition on behalf of their growers to correct water quality problems. The Coalition may not change that commitment without prior Executive Officer approval.

The Coalition's failure to include required information in the Annual MPUR and to provide deliverables by the deadline approved by the Executive Officer are violations of the Conditional Waiver and the MRP Order. The Annual MPUR constitutes a technical report for which submittal is required under the Orders.

Should the Coalition fail to provide the required information, growers may be individually liable for penalties under Water Code Section 13268 for the Coalition's failure to submit a complete report (see Attachment B of the Conditional Waiver). In addition, the Central Valley Water Board is currently developing the Long-Term Irrigated Lands Program. As part of this process, we are closely examining the performance of the Coalitions, including the timeliness, completeness, and quality of submitted technical reports. The Central Valley Water Board therefore strongly urges the Coalition to ensure that technical reports meet all requirements.

If you have any questions regarding this letter, please contact Dania Huggins at (916) 464-4843 or via email at dhuggins@waterboards.ca.gov.



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